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BY ECF AND TELECOPY

Hon. John G. Koeltl
United States District Court Judge
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: U.S.A. Baseball, et al. v. City of New York,
07 Civ. 3605 (JGK)(DFE)

Your Honor:

During oral argument yesterday, defendant City of New York was granted leave to object to plaintiffs' Powerpoint presentation to the Court. Plaintiffs' presentation was not limited to material already presented in their prior motion papers. Rather, they cited to at least six additional cases on pages 28 through 31 of their presentation. The reference to additional case law, however inappropriate, does not support their claims for the reasons already presented in defendant's opening and reply briefs.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. Horowitz", is written over the typed name.

Jerald Horowitz (JH8395)
Assistant Corporation Counsel

Cc: John F. Collins, Esq.